

PUBLIC NOTICE

APPLICATION FOR PERMIT

**U.S. ARMY
CORPS OF ENGINEERS
CHICAGO DISTRICT**

PUBLIC NOTICE/APPLICATION NUMBER: LRC-2012-479

COMMENT PERIOD BEGINS : December 7, 2012

COMMENT PERIOD EXPIRES: January 7, 2013

JOINT PUBLIC NOTICE

U.S. Army Corps of Engineers
Illinois Environmental Protection Agency

CO-APPLICANTS

Hines, Inc
One South Dearborn, Suite 2000
Chicago, IL 60603

City of Chicago
Dept. of Housing and Economic Development
121 North LaSalle Street, Room 1100
Chicago, IL

PROPOSED ACTION

Proposal to build a new seawall and riverwalk along the west shoreline of the Chicago River at Canal Street and Lake Street (see attached drawings). A detailed description of this proposal is provided on page 2 of this notice.

LOCATION OF PROPOSED ACTION

In the Chicago River Watershed of the City of Chicago, Cook County, Illinois (SW Quarter of Sec. 9, Twp. 39N, Rng. 14E; 41.88639, -87.63917)

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and as shown on the attached drawings. You are invited to provide your comments by January 7, 2013 on the proposed work, which will become part of the record and will be considered in the decision. A permit will be issued or denied under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 Action of the Clean Water Act of 1972(33 U.S.C. 1344).

Written comments shall be mailed to:

U.S. Army Corps of Engineers
Chicago District, Regulatory Branch
Attn: **LRC-2012-479**, Michael Murphy
111 North Canal Street, 6th Floor
Chicago, Illinois 60606-7206

PROJECT DESCRIPTION

The applicants propose to construct a new seawall on the west shoreline of the Chicago River at Canal Street and Lake Street (see location map) associated with the proposed River Point commercial development. Project is located at the point where the North Branch Chicago River and South Branch Chicago River diverge from the Main Stem Chicago River.

The purpose of the project is to replace the existing seawall and stabilize unprotected portions of the shoreline. Additionally the project will encroach up to 17.5 feet into the Chicago River in order to facilitate a walkway along the river. Project will also construct new stormwater outfalls associated with River Point.

Total impact area is approximately 500 square feet (0.011 acre) with an anticipated discharge of 700 cubic yards of material. Approximately 474 square feet of the proposed impact are for the deviation from the existing shoreline to accommodate the proposed riverwalk. The proposed project will encroach into the Chicago River by 17.5 linear feet at its maximum extent (see drawing).

This project is being constructed in sections by Hines and the City of Chicago (see drawing for demarcation). The project will be constructed as a single and complete action, therefore the Chicago District is treating it as a single project with co-applicants.

Mitigation is not currently being proposed because the level of impact is below the 0.10 acre threshold that generally requires mitigation in the Chicago District. Project proposes to implement soil erosion and sediment control best management practices during construction to minimize material discharged to waters of the United States during construction. No other on-site best management practices have been proposed.

MITIGATION

If a permit is issued for the proposed project, the Corps will determine what is appropriate and practicable compensatory mitigation in accordance with 33 CFR Part 332. The amount of compensatory mitigation to be determined shall be commensurate with the anticipated impacts of the project.

REGULATORY AUTHORITY

This proposed action will be reviewed according to the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act of 1972.

JURISDICTION

This application will be reviewed according to the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act of 1972 due to placement of fill into the traditionally navigable Chicago River.

EVALUATION FACTORS

The decision whether to issue a permit will be based on an evaluation of probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments.

All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, if the proposed activity involves the discharge of dredged or fill material into waters of the United States, the evaluation of the impact on the public interest will include application of Section 404(b)(1) guidelines (40 CFR 230) promulgated by the U.S. Environmental Protection Agency.

The Corps of Engineers is also soliciting comments from the public, Federal, state and local agencies, Indian tribes, and other interested parties in order to consider and evaluate the potential impacts of the proposed activity. Once this office completes a review of the comments received, it will be determined whether to issue, modify, condition, or deny a permit for this proposal.

To prepare this decision, comments are taken into consideration to assess impacts on the public interest factors listed above, as well as endangered species, historic properties, water quality, and general environmental effects. Comments will be used in the preparation of an Environmental Assessment and/or Environmental Impact Statement pursuant to the National Environmental Policy Act. A determination concerning the need for a public hearing will also be based on the comments received.

PRELIMINARY EVALUATION OF SELECTED FACTORS

WATER QUALITY:

The applicant has applied to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity in accordance with Section 401

of the Clean Water Act. Certification or waiver indicates that the IEPA believes the activity will not violate applicable water quality standards. The review by the IEPA is conducted in accordance with the Illinois water quality standards under 35 Illinois Administrative Code Subtitle C by providing an antidegradation assessment, which includes an evaluation of alternatives to any proposed increase in pollutant loading that may result from this activity.

The "Fact Sheet" containing the antidegradation assessment for this proposed project may be found on the IEPA's web site, at www.epa.state.il.us/public-notice/. In the event that the IEPA is unable to publish the "Fact Sheet" corresponding to the timeframe of this Joint Public Notice, a separate public notice and "Fact Sheet" will be published by the IEPA at the web site identified above. You may also obtain a copy of the "Fact Sheet" by contacting the IEPA at the address or telephone number shown below.

Written comments concerning possible impacts to water quality should be addressed to the following agency, along with a copy of the comments provided to the Corps of Engineers:

Illinois Environmental Protection Agency
Bureau of Water
Watershed Management Section
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

If you have any questions please contact the IEPA at (217) 782-3362.

DEPARTMENT OF NATURAL RESOURCES:

The applicant has applied to the Illinois Department of Natural Resources, Office of Water Resources (IDNR-OWR) for a permit pursuant to the State of Illinois Rivers, Lake and Streams Act (615 ILCS 5). Comments concerning the IDNR-OWR permit should be addressed to the following agency, along with a copy of the comments provided to the Corps of Engineers:

Illinois Department of Natural Resources
Office of Water Resources
Michael A. Bilandic Building
160 N. LaSalle Street, Suite S-700
Chicago, IL 60601

If you have any questions please contact the IDNR at (312) 793-5947.

ENDANGERED AND THREATENED SPECIES:

The Corps of Engineers has determined that the proposed activity would not affect any federally-listed endangered or threatened species or critical habitat for any endangered or threatened species, pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). Therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act does not appear to be warranted at this time.

HISTORIC PROPERTIES/CULTURAL RESOURCES:

Preliminary review indicates that the proposed activity is not likely to adversely affect any historic property which is listed, or eligible for listing, on the National Register of Historic Places.

ENVIRONMENTAL IMPACT STATEMENT

A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

PUBLIC HEARING

Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing. A request for a hearing may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

It should be noted that materials submitted as part of the permit application become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the Chicago District Corps of Engineers Office of Counsel.

Interested parties wishing to comment on the proposed activity must do so in writing no later than January 7, 2013. It is presumed that all parties receiving this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

If you have any questions, please contact Michael Murphy of my staff by telephone at 312-846-5538, or email at Michael.J.Murphy@usace.army.mil. **It should be noted that ALL comments received by this office (via hard copy or electronic) will only be accepted with the full name and address of the individual commenting.** You can also visit our website at www.lrc.usace.army.mil/co-r for more information on our program.

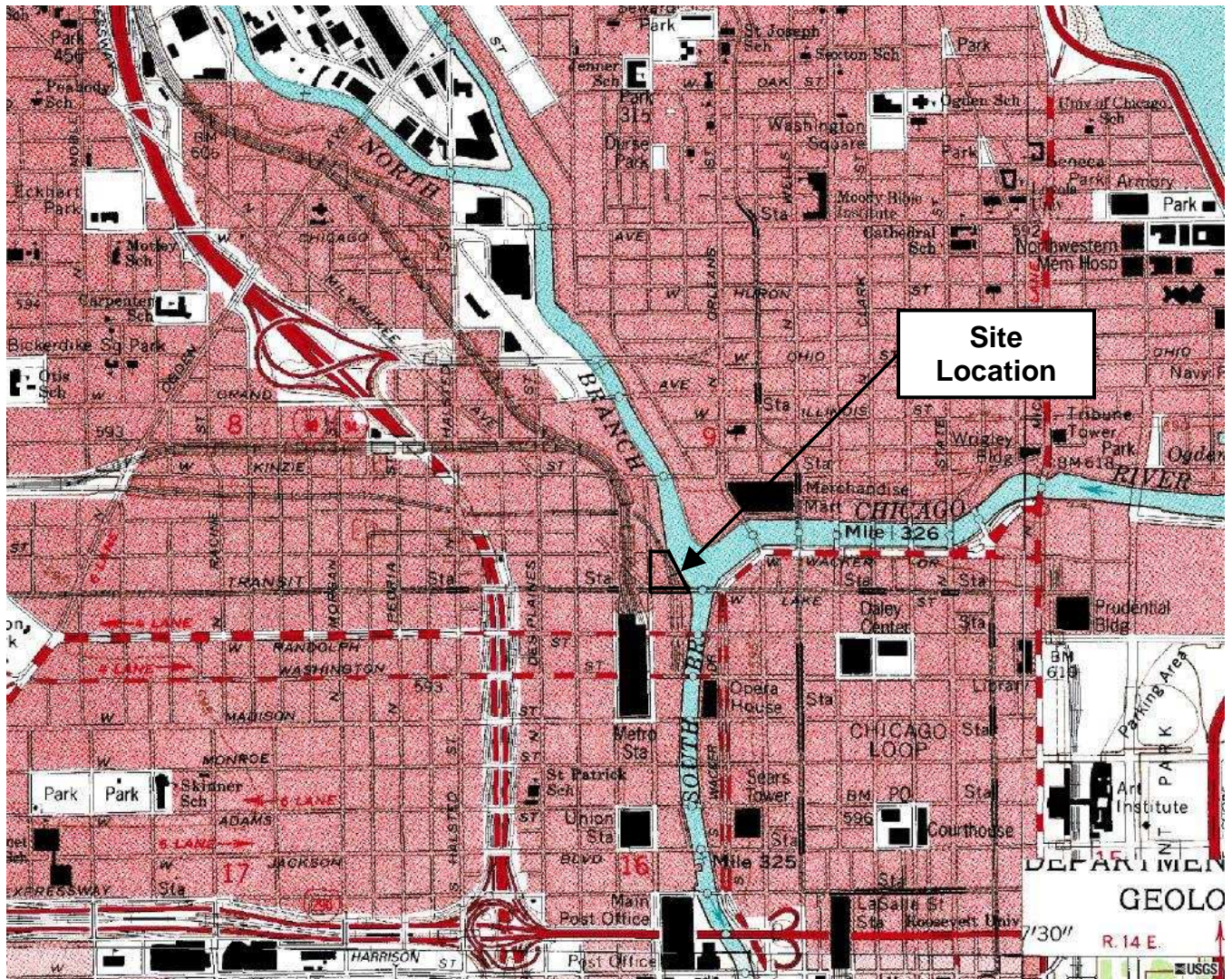
FOR THE DISTRICT COMMANDER:

ORIGINAL SIGNED

Kathleen G. Chernich
Chief, East Section
Regulatory Branch

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continuously posted until January 7, 2013.

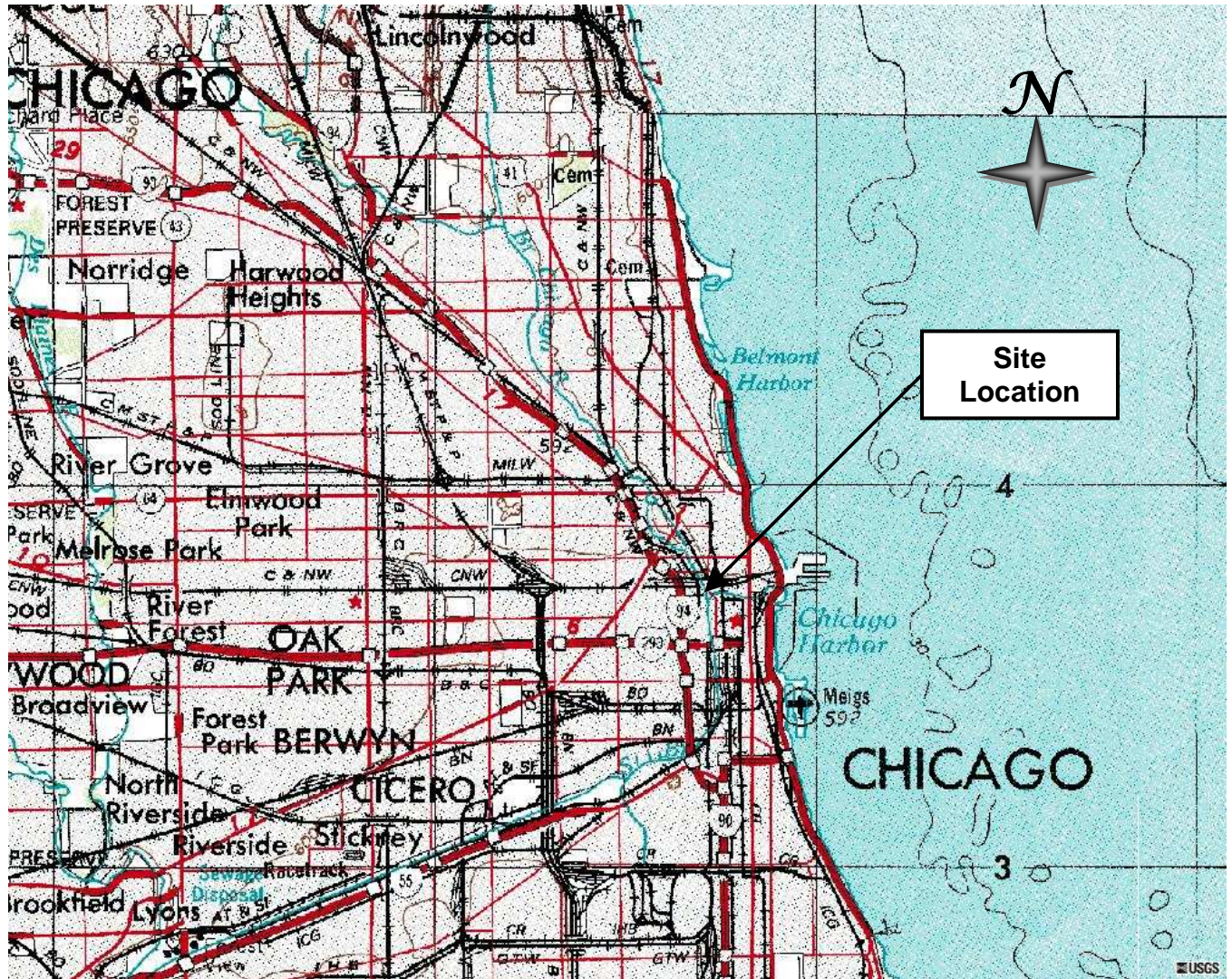


Site Vicinity Map



**River Point
NEC Canal Street & Lake Street
Chicago, IL**

SW ¼ Section 9, Township 39 North, Range 14 East



Site Location Map

River Point
NEC Canal Street & Lake Street
Chicago, IL

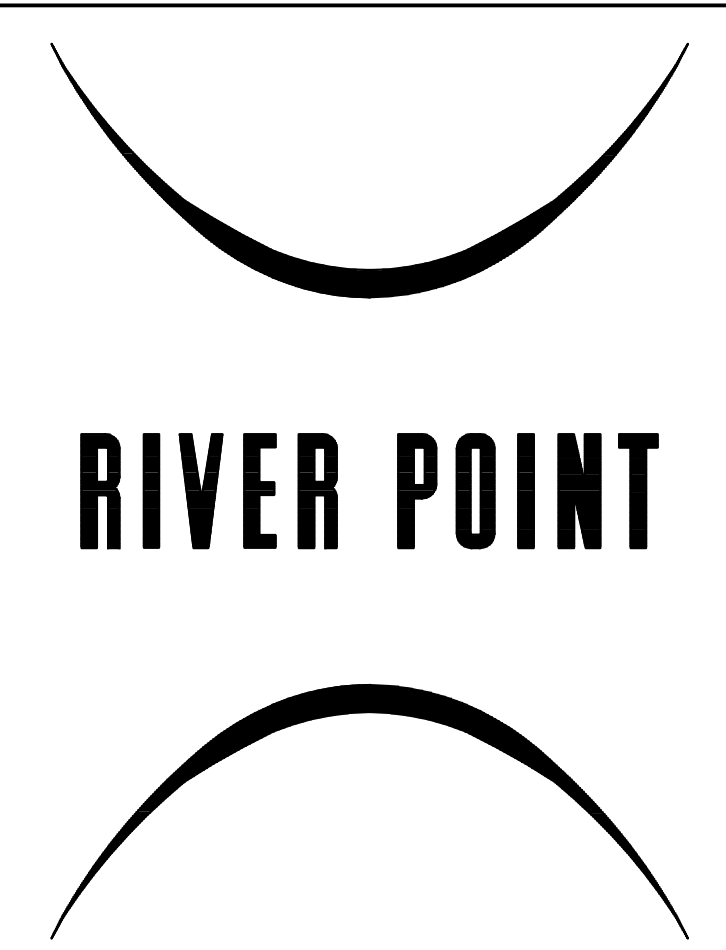
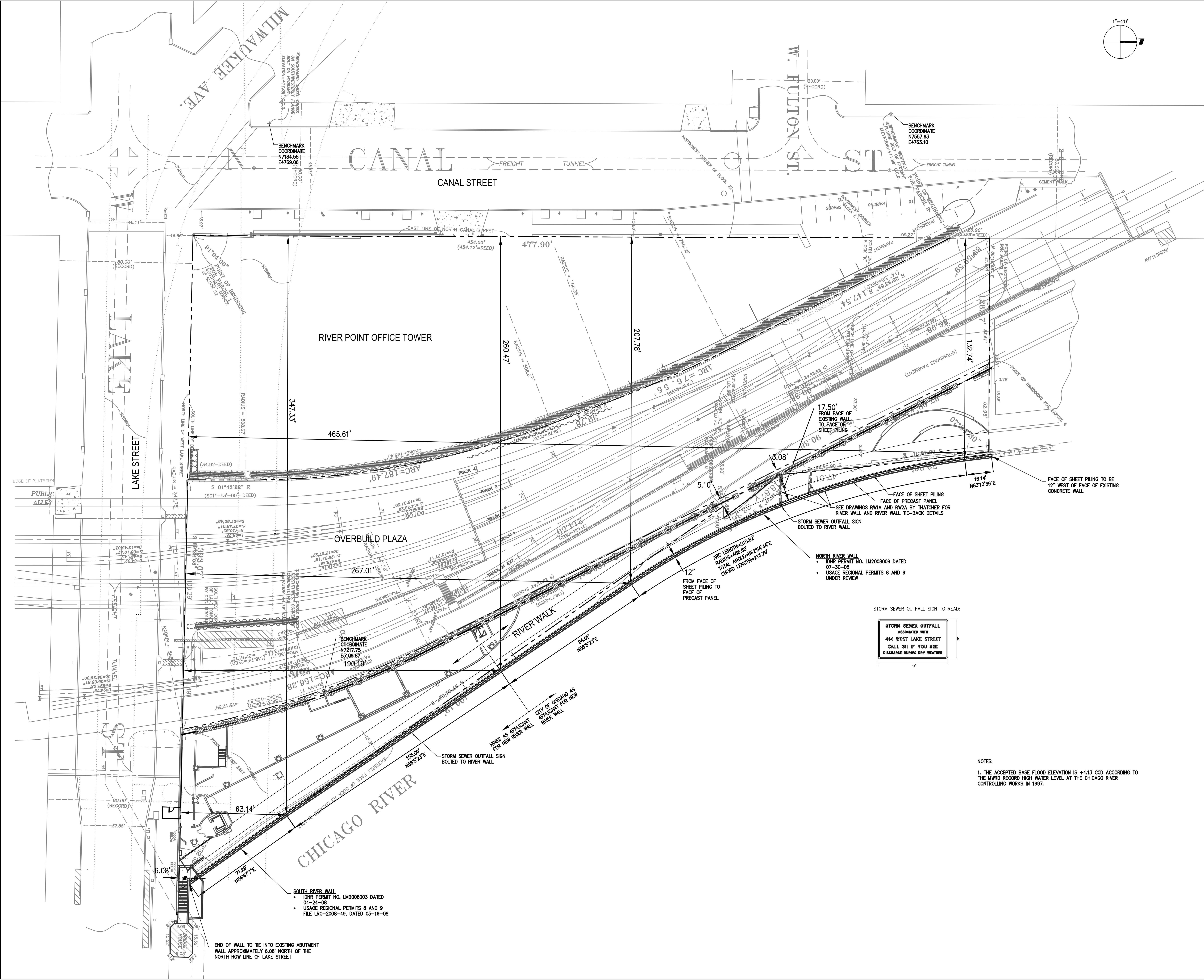
SW ¼ Section 9, Township 39 North, Range 14 East



Aerial Map

River Point
NEC Canal Street & Lake Street
Chicago, IL

SW ¼ Section 9, Township 39 North, Range 14 East



RIVER POINT
444 WEST LAKE STREET
CHICAGO, ILLINOIS

L & M RIVERBEND VENTURE
OWNER

HINES
DEVELOPMENT MANAGER

PICKARD CHILTON ARCHITECTS, INC.
DESIGN ARCHITECT

KENDALL/HEATON ASSOCIATES, INC.
ARCHITECT

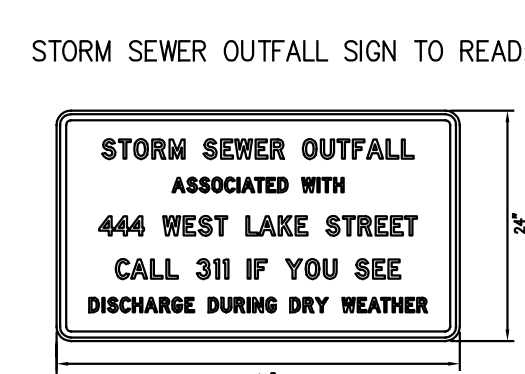
THE OFFICE OF JAMES BURNETT
LANDSCAPE ARCHITECT

MAGNUSSON KLEMENCIC ASSOCIATES
STRUCTURAL ENGINEER

ALVINE AND ASSOCIATES, INC.
MECHANICAL, ELECTRICAL, PLUMBING
& FIRE PROTECTION ENGINEER

A. EPSTEIN AND SONS
INTERNATIONAL, INC.
CIVIL ENGINEER

NO.	DATE	ISSUE
1	27 JUN 2012	JOINT APPLICATION
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NOTES:
1. THE ACCEPTED BASE FLOOD ELEVATION IS +4.13 CDD ACCORDING TO THE UNWRD RECORD HIGH WATER LEVEL AT THE CHICAGO RIVER CONTROLLING WORKS IN 1997.

File Name C301 27235	
Drawing Title RIVER WALL LAYOUT PLAN	
Project Number KHA 06008	Drawing No. EXHIBIT 1

RIVER POINT

RIVER POINT
444 WEST LAKE STREET
CHICAGO, ILLINOIS

L & M RIVERBEND VENTURE
OWNER

HINES
DEVELOPMENT MANAGER

PICKARD CHILTON ARCHITECTS, INC.
DESIGN ARCHITECT

KENDALL/HEATON ASSOCIATES, INC.
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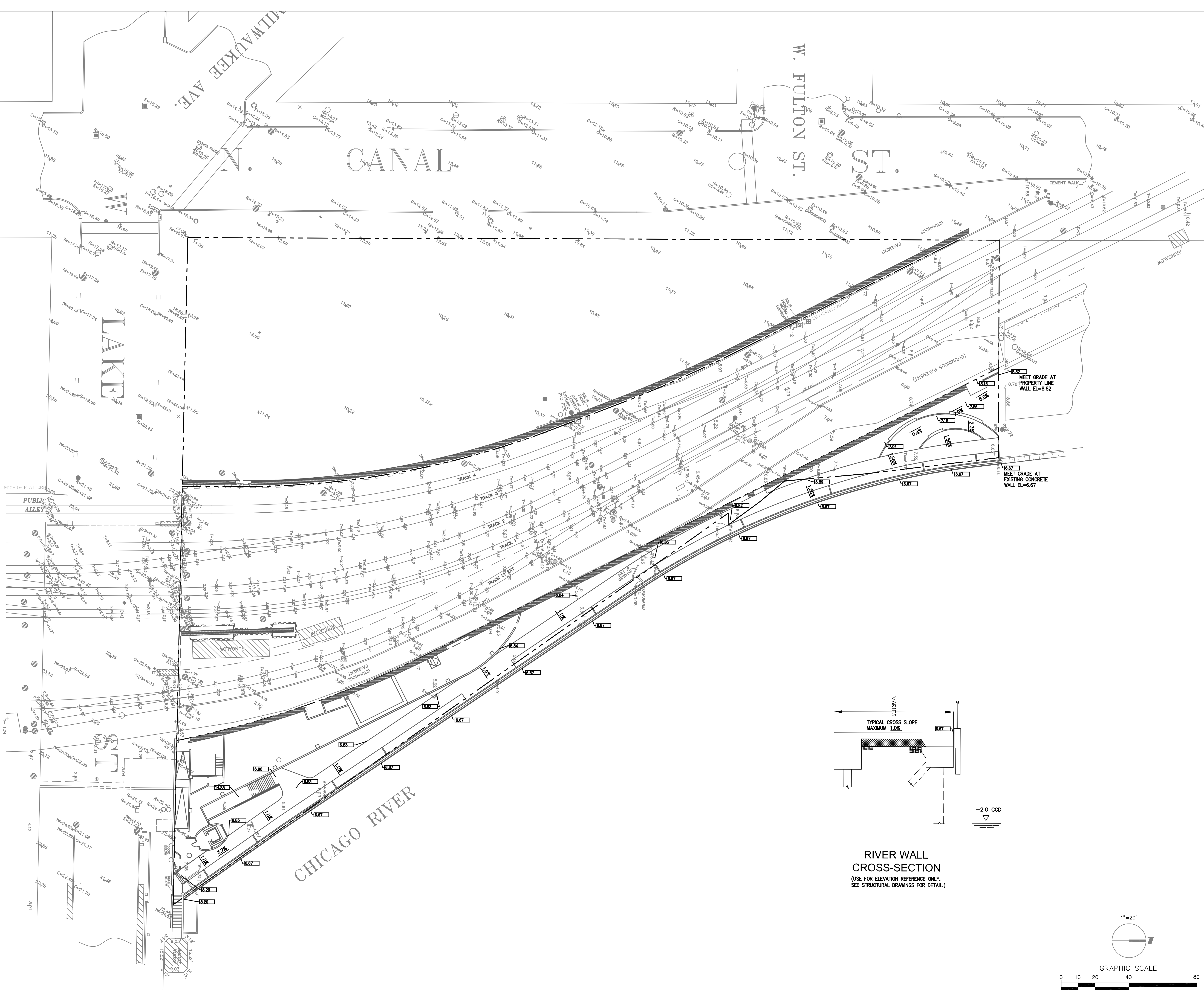
MAGNUSSON KLEMENCIC ASSOCIATES
STRUCTURAL ENGINEER

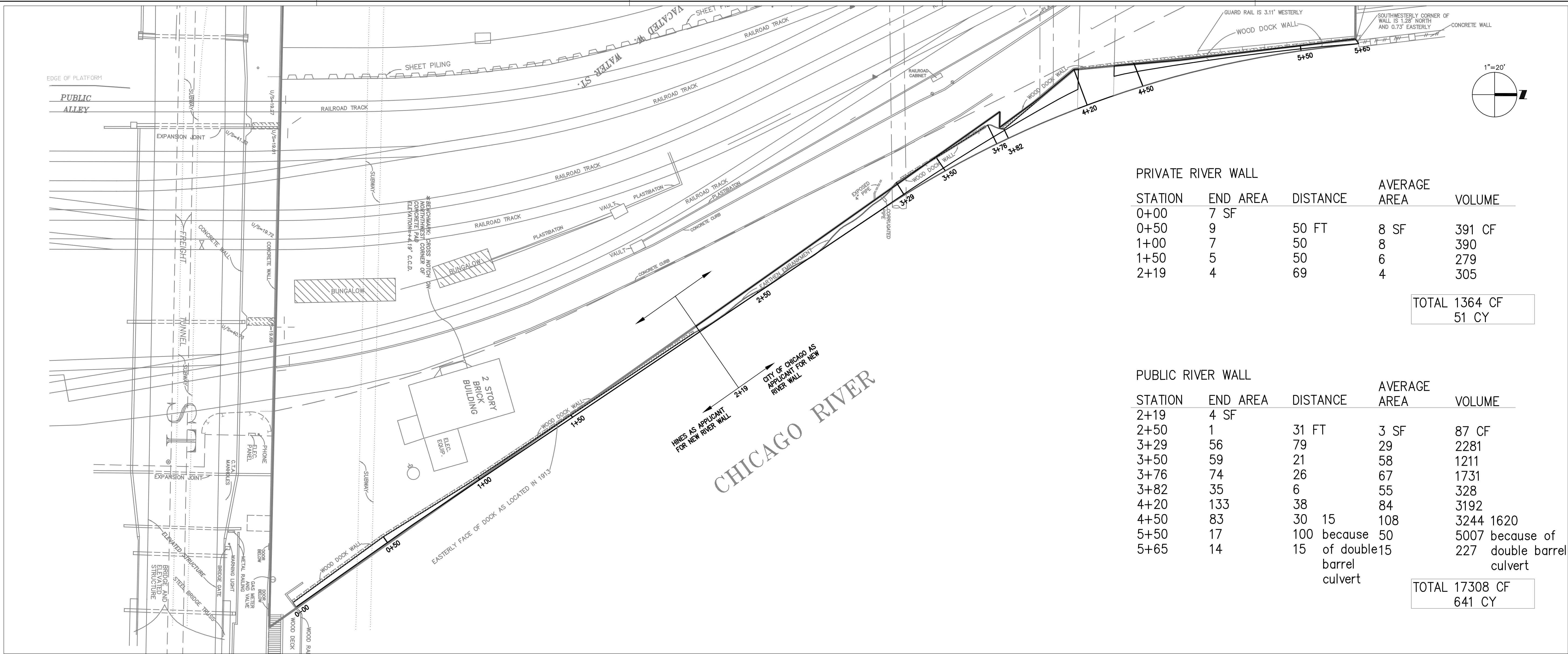
ALVINE AND ASSOCIATES, INC.
MECHANICAL, ELECTRICAL, PLUMBING
& FIRE PROTECTION ENGINEER

A. EPSTEIN AND SONS
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File Name	C302 27235
Drawing Title	RIVER WALK GRADING PLAN
Project Number	KHA 06008
Drawing No.	EXHIBIT 2





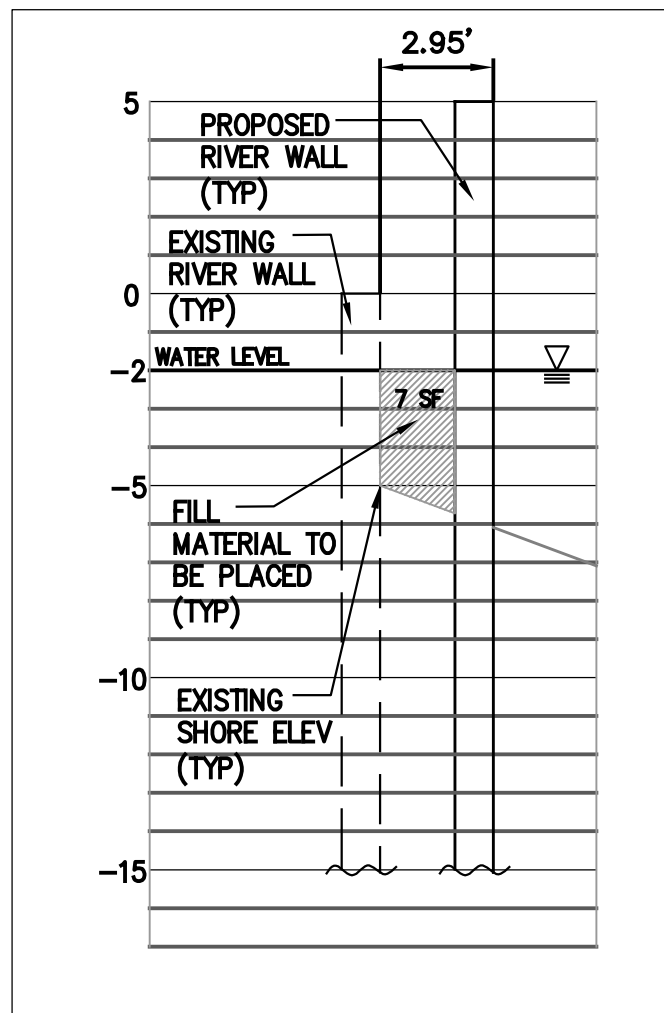
PRIVATE RIVER WALL				
STATION	END AREA	DISTANCE	AVERAGE AREA	VOLUME
0+00	7 SF			
0+50	9	50 FT	8 SF	391 CF
1+00	7	50	8	390
1+50	5	50	6	279
2+19	4	69	4	305

TOTAL 1364 CF
51 CY

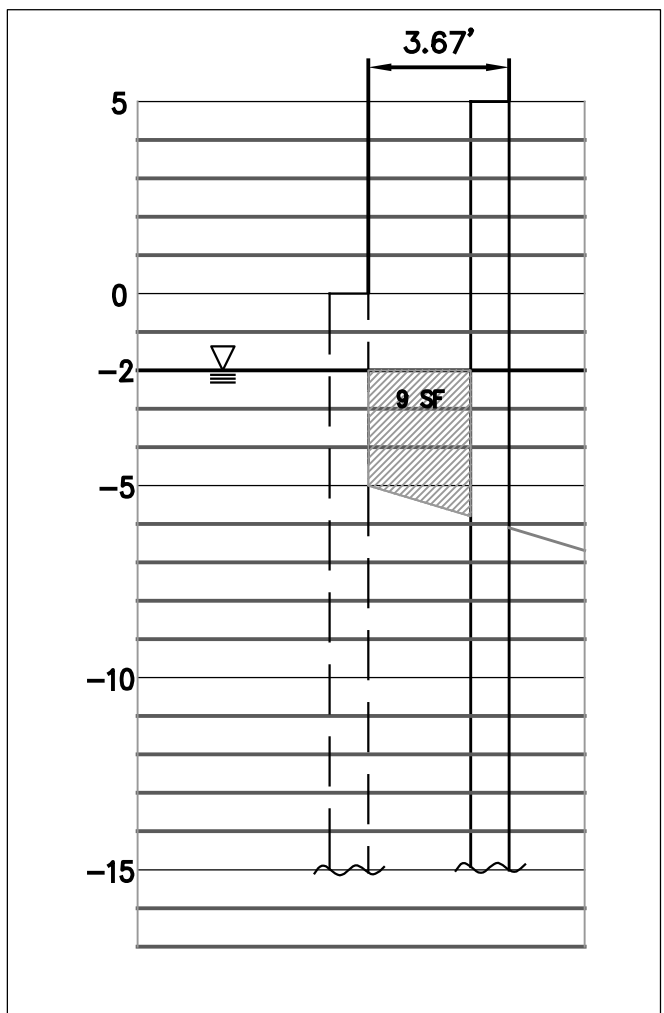
PUBLIC RIVER WALL				
STATION	END AREA	DISTANCE	AVERAGE AREA	VOLUME
2+19	4 SF			
2+50	1	31 FT	3 SF	87 CF
3+29	56	79	29	2281
3+50	59	21	58	1211
3+76	74	26	67	1731
3+82	35	6	55	328
4+20	133	38	84	3192
4+50	83	30 15	108	3244 1620
5+50	17	100 because 50		5007 because of
5+65	14	15 of double15 barrel culvert		227 double barrel culvert

TOTAL 17308 CF
641 CY

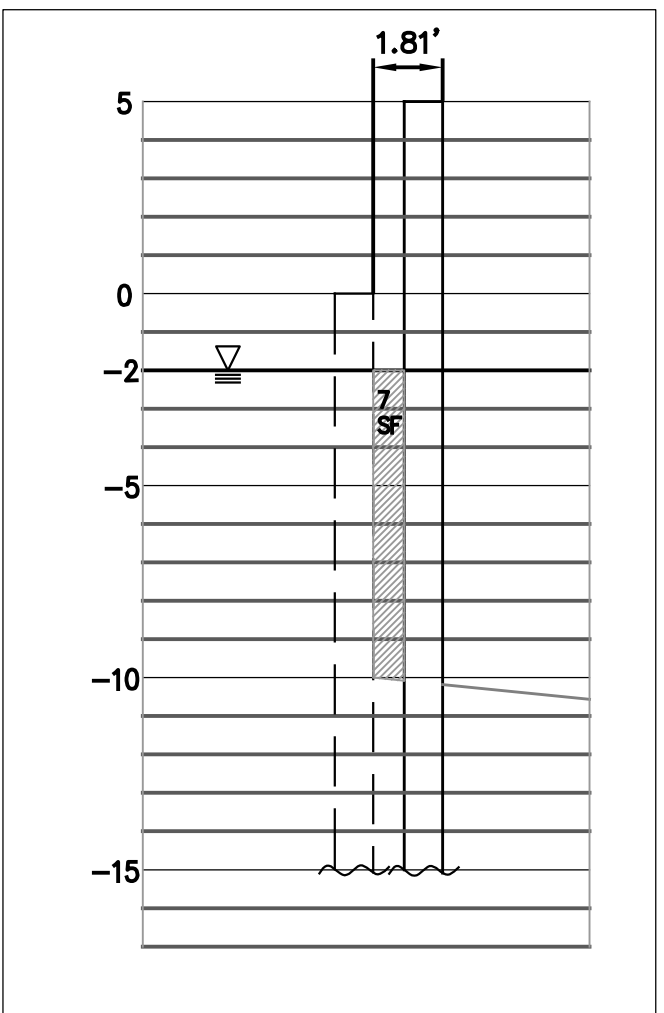
RIVER WALL CROSS SECTIONS
SCALE 1"=5'



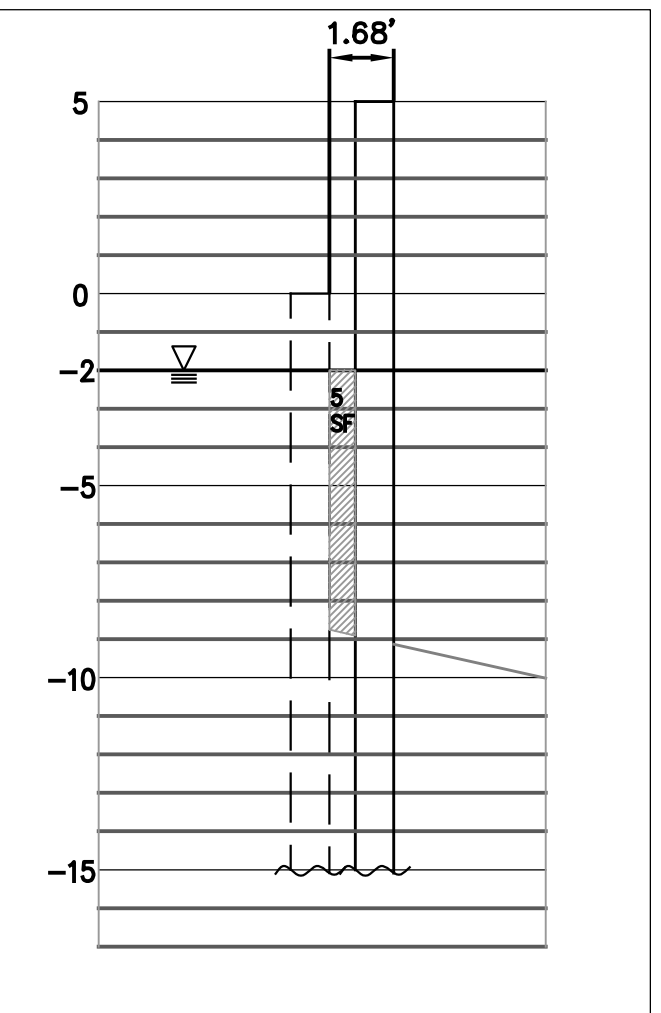
STATION 0+00



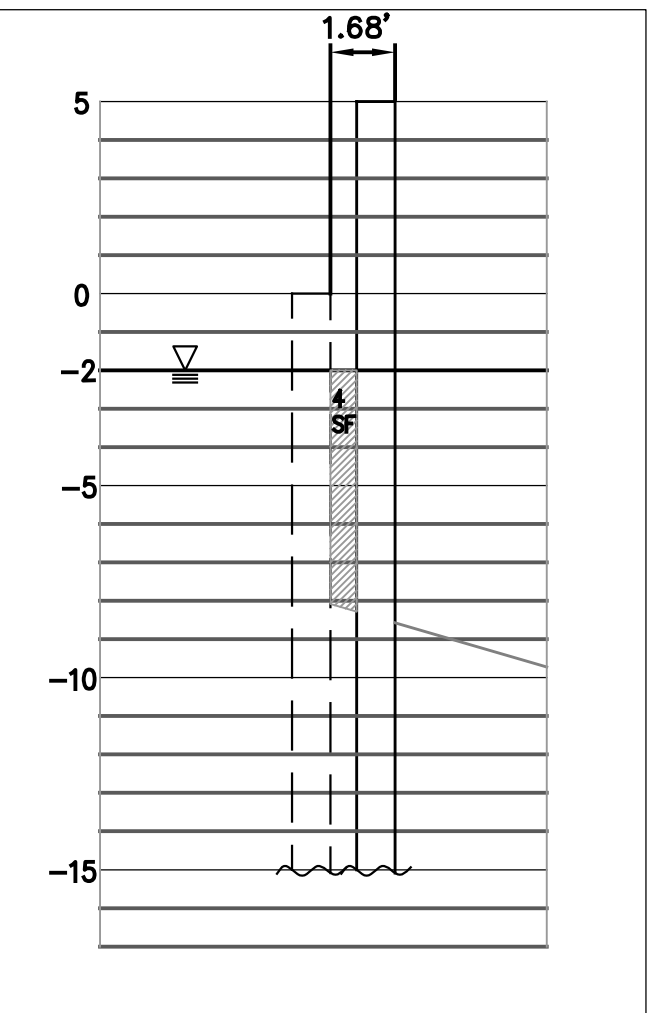
STATION 0+50



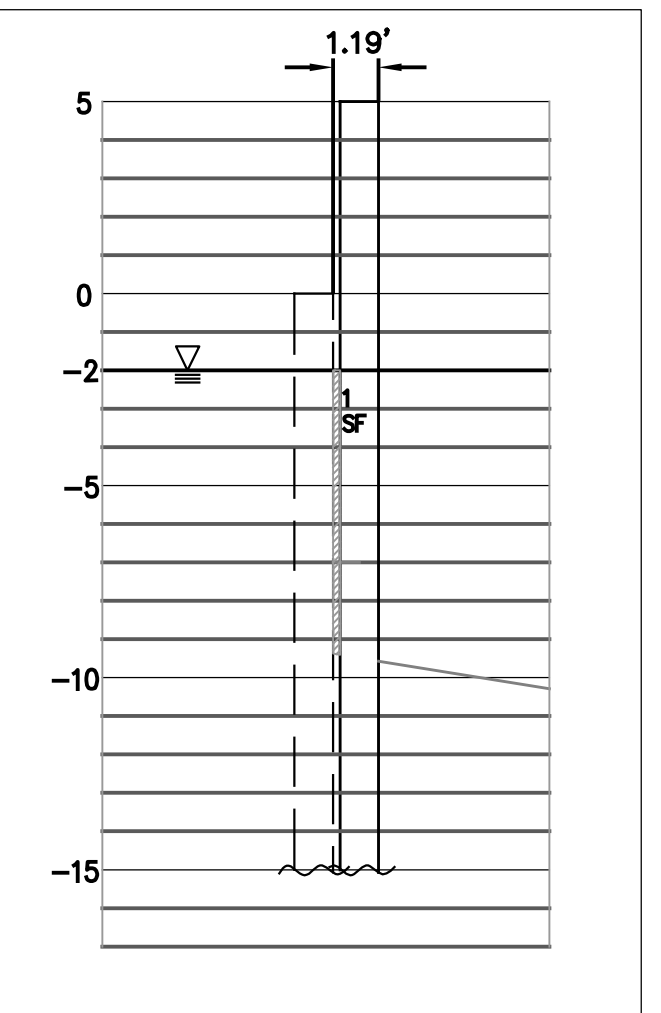
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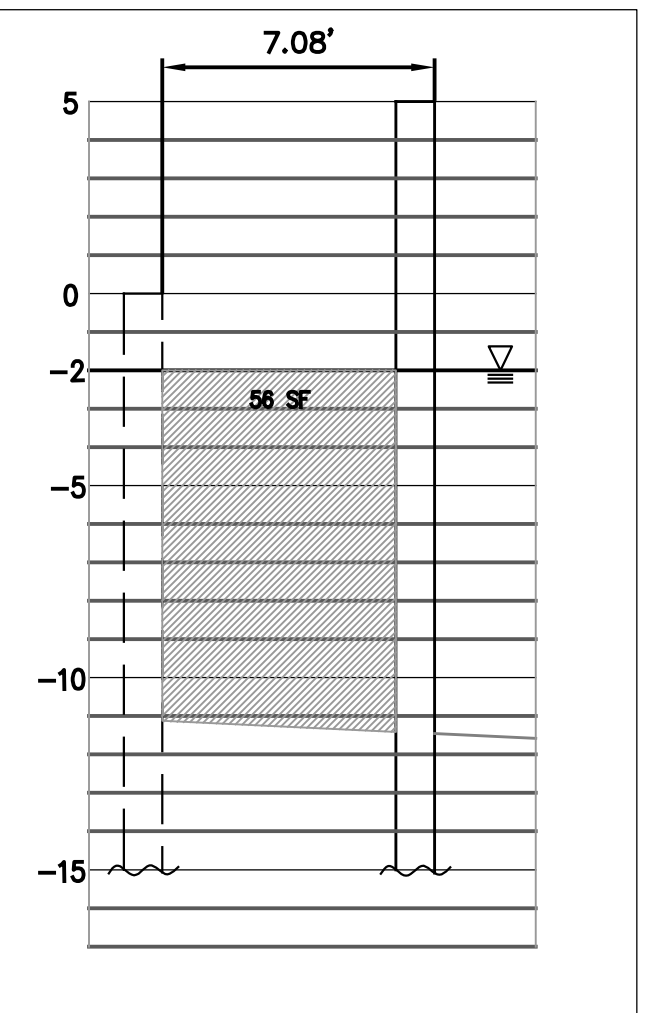
STATION 1+50



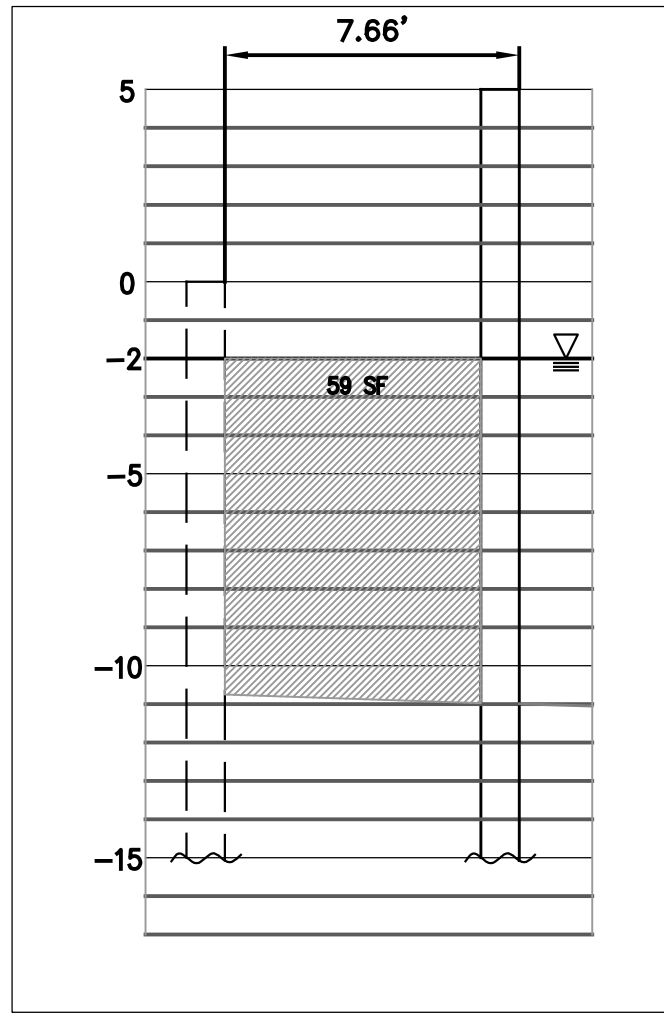
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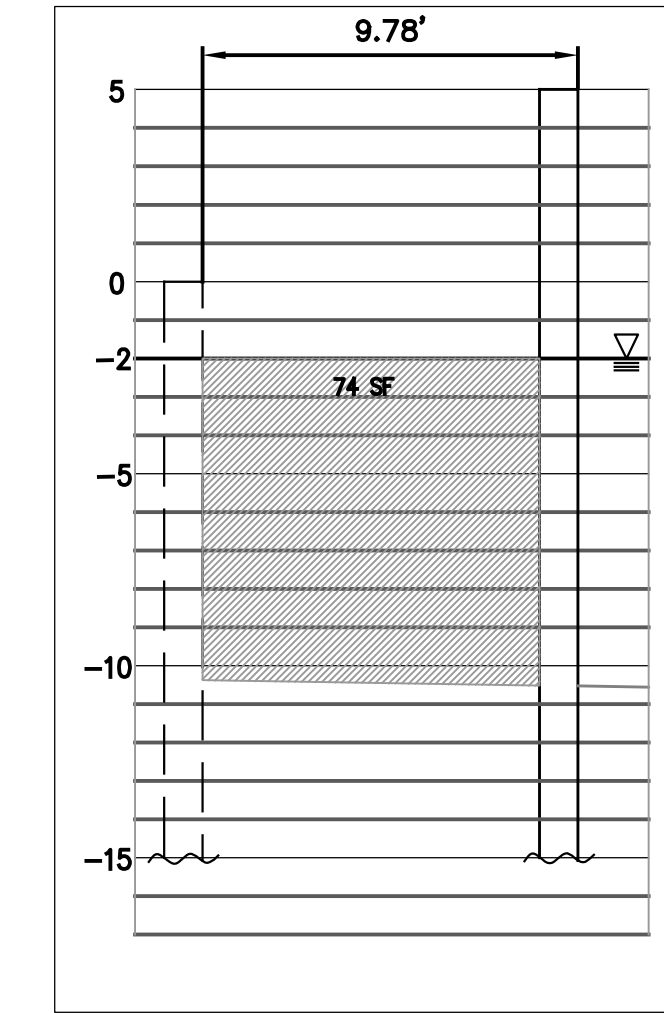
STATION 2+50



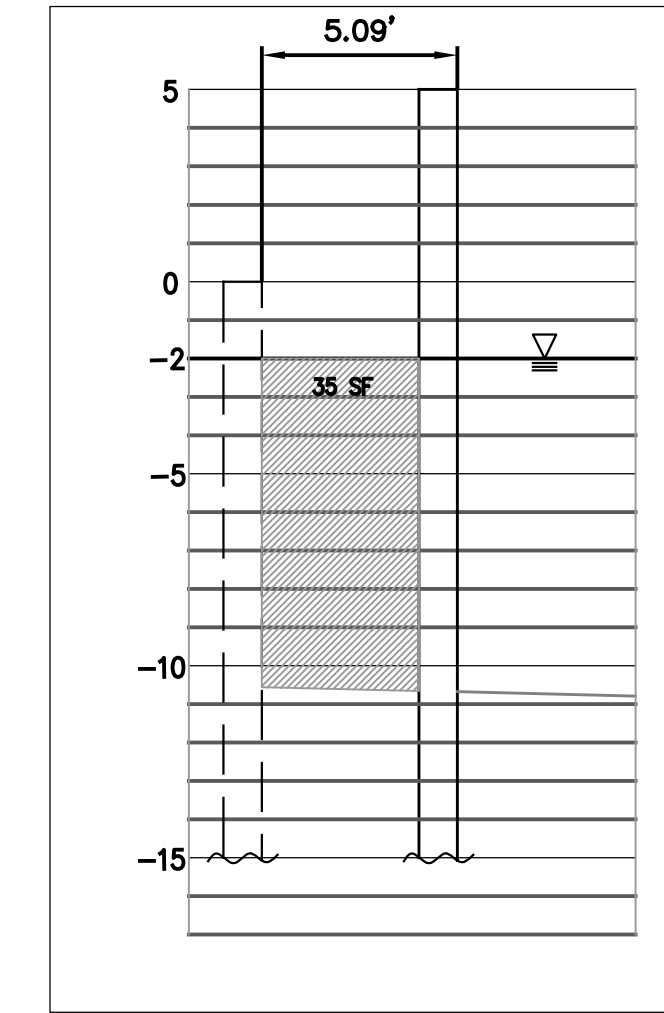
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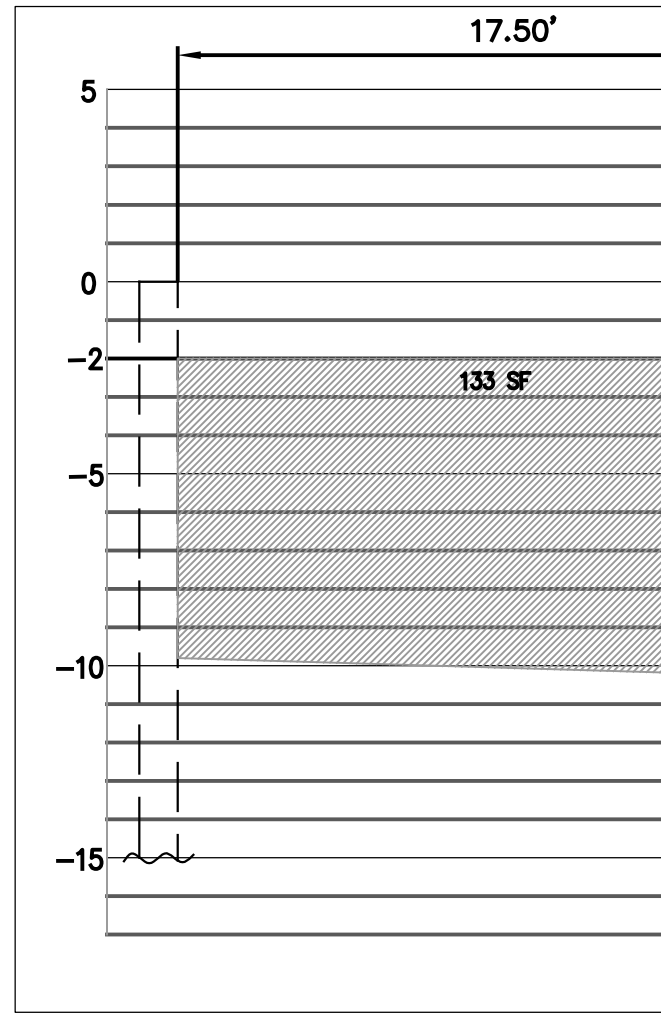
STATION 3+50



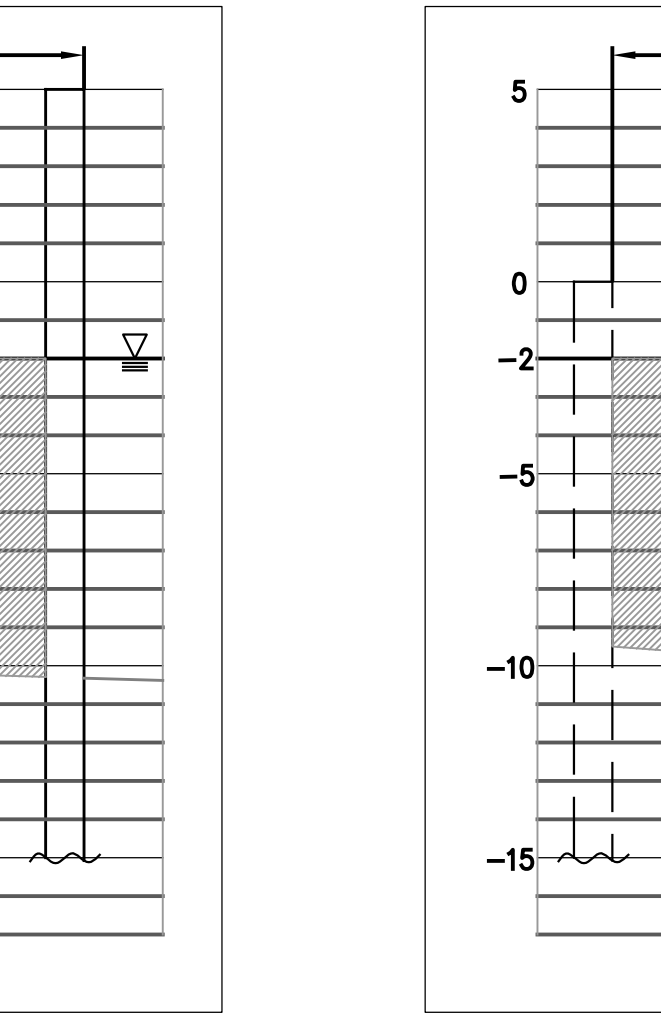
STATION 3+76



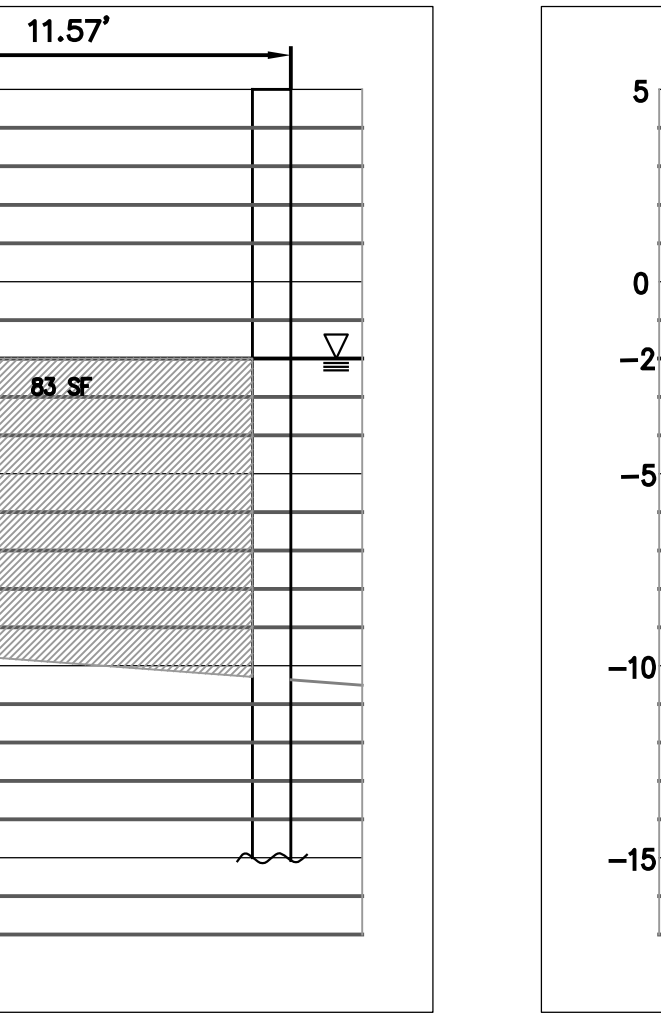
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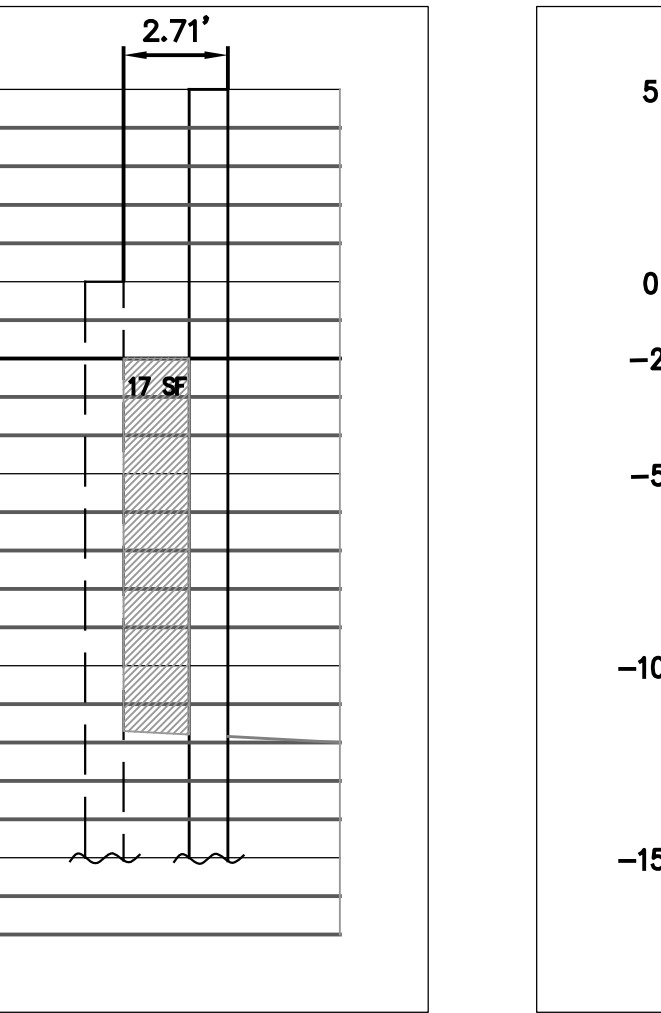
STATION 4+20



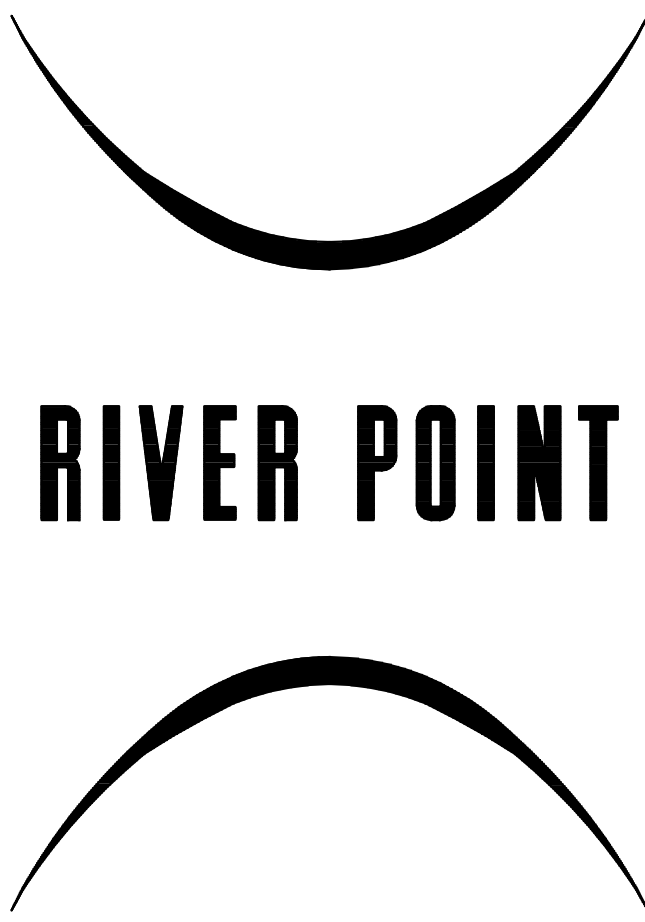
STATION 4+50



STATION 5+50



STATION 5+65



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File Name
C-303

Drawing Title
RIVER WALL BACKFILL
EXHIBIT

Project Number
KHA 06008

Drawing No.
EXHIBIT 3